



Crl.O.P.No. 17511 of 2022

Crl.O.P.No. 17511 of 2022

WEB CO **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 468, 471 and 120(B) of IPC in Crime No. 4 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused sold a Omni Bus bearing Registration No.RJ 14 PB 3628 for a sum of Rs.16,50,000/- to the defacto complainant. After purchase, when he verified it was came to light that engine number found in the original RC Book is different that as that found in the re-registration certificate. Since the vehicle is old model vehicle, he was cheated by the accused on the pretext of new vehicle and the vehicle had no valid National Permit for carrying the passenger. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays for grant anticipatory bail to the petitioner.



CrI.O.P.No. 17511 of 2022

4. The learned Additional Public Prosecutor would submit that now it is found that the engine number and the chassis number rightly mentioned in the RC Book.

5. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioner is not required in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Salem, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



CrI.O.P.No. 17511 of 2022

[b] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

27.07.2022

mn



WEB COPY



CrI.O.P.No. 17511 of 2022

**G.K.ILANTHIRAIYAN, J.**

mn

CrI.O.P.No.17511 of 2022

27.07.2022